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Attorney for Enrique Reyes De la Cruz

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

FIDEL REYES DE LA CRUZ, et al.,

Defendants.

CASE NO: CR12-0088 LHK

STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING STATUS CONFERENCE TO
OCTOBER 24, 2012 AND EXCLUDING
TIME UNDER THE SPEEDY TRIAL ACT

The parties, Gonzalo Reyes De La Cruz, Enrique Reyes De La Cruz, and Francisco Reyes De La Cruz, and the government, by and through their respective counsel, hereby stipulate, subject to the Court's approval, that the status conference currently scheduled for September 26, 2012, be continued to October 24, 2012 at 9:00 a.m. for further status.

1 Defense counsel require additional time to conduct further case review and
2 investigation. Additionally, they require additional time to confer with their respective
3 clients.
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5 IT IS SO STIPULATED.
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7 Dated: September 25, 2012

/S/
GRAHAM E. ARCHER
Counsel for Gonzalo Reyes De La Cruz

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10 Dated: September 25, 2012

/S/
JAMES MCNAIR THOMPSON
Counsel for Francisco Reyes De La Cruz

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12 Dated: September 25, 2012

/S/
MICHELLE D. SPENCER
Counsel for Enrique Reyes De La Cruz

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14
15 Dated: September 25, 2012

/S/
OWEN P. MARTIKAN
Assistant United States Attorney

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18 ~~[PROPOSED]~~ ORDER

19 GOOD CAUSE APPEARING, upon the stipulation of the parties,

20 IT IS HEREY ORDERED that the status conference currently scheduled for
21 September 26, 2012, shall be continued to October 24, 2012, at 9:00 a.m. for further status.
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23 FURTHER, the Court finds that failing to exclude the time between September 26,
24 2012 , and October 24, 2012 would unreasonably deny defense counsel the reasonable time
25 necessary for effective preparation, taking into account the exercise of due diligence pursuant
26 to 18 U.S.C. § 3161(h)(7)(B)(iv). The end ends of justice served by excluding the time
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1 between September 26, 2012, and October 24, 2012, from computation under the Speedy
2 Trial Act outweigh the interests of the public and the defendant in a speedy trial.

3 IT IS FURTHER ORDERED that the time between September 26, 2012, and October
4 24, 2012, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
5 3161(h)(7)(A), and (B)(iv), and 18 U.S.C. § 3161(h)(1)(D).
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8 IT IS SO ORDERED.

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10 Dated: September 25, 2012

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12 THE HONORABLE LUCY H. KOH
13 United States District Judge
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